

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, JUNE 20, 2006 7:00 PM

Chair Parsons called the meeting to order at 7:01 pm., at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Horton, Frautschi, Mayer, McKenzie, Mercer, Wozniak

Commissioners Absent: None

Staff Present: Community Development Director de Melo (CDD), Associate Planner Walker (AP), Zoning Technician Gill, City Attorney Zafferano, CA), Recording Secretary Crouse (RS).

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR

4A. Revised Action Minutes of 4/18/06

MOTION: By C Wozniak, seconded by C Mercer, to accept the Action Minutes of

April 18, 2006 as presented.

Ayes: McKenzie, Mercer, Wozniak, Parsons

Noes: None

Abstain: Frautschi, Mayer, Horton

Motion passed: 4/0/3

4B. Action Minutes of 5/2/06

MOTION: By VC Horton, seconded by C Wozniak, to accept the Action Minutes of May 2, 2006 as presented.

Ayes: Horton, McKenzie, Mercer, Wozniak, Parsons

Abstain: Frautschi, Mayer

Motion passed 5/0/2

5. NEW BUSINESS

5A. Final Landscape Plan – 215 Hiller Street

ZT Gill summarized the staff report, recommending approval.

C Frautschi requested that the word “Widening” in the Resolution title be changed to “Narrowing,” and asked about the legalization of the shed. CDD de Melo responded that the shed at its current placement meets the zoning code but needs permits to legalize its existence, which was covered as part of the original Conditions of Approval.

C Mercer called attention to a typo on the Resolution; that the term “final building” should be changed to “building final.”

Chair Parsons said that he assumed there will be a sprinkler system along the sidewalk.

Ray Brayer, Brayer Construction and Design, was available to answer any questions. He confirmed that there will be sprinkler systems.

MOTION: By Commissioner C Wozniak, seconded by VC Horton, to approve the Resolution for a Final Driveway Narrowing and Landscape Plan for 215 Hiller Street (Appl. No. 2005-0037), with the addition of a third bullet point requiring a sprinkler system.

Ayes: Wozniak, Horton, Frautschi, Mayer, McKenzie, Mercer, Parsons

Noes: None

Motion passed 7/0

5B. Final Landscape Plan – 1220 Avon Street

AP Walker presented the staff report, recommending adoption of the attached Resolution of Approval.

C Mercer asked if the design of the portico on the front will come back to the Planning Commission. Staff stated that a Condition of Approval requires removal of the wall portion of the portico to be replaced by a column style, which is reflected on building permit plans.

C Mayer asked the intention of the applicant regarding the river rocks. Applicant Aurelio Peccei stated that they will be more than happy to clean up the river rocks.

MOTION: By C McKenzie, seconded by VC Horton, to approve the Resolution for a Final Landscape Plan for 1220 Avon Street (Appl. No. 2005-0071)

Ayes: McKenzie, Horton, Frautschi, Mayer, Mercer, Wozniak, Parsons

Noes: None

Motion passed 7/0.

5C. Final Landscape Plan – 521 Cambridge Street

ZT Gill presented the staff report, recommending approval.

The Resolution title was corrected to delete the words “Driveway Widening And”.

MOTION: By C Frautschi, seconded by C Wozniak, to approve the Resolution approving a Final Landscape Plan for 521 Cambridge Street (Appl. No. 2005-0073)

Ayes: Frautschi, Wozniak, Mayer, McKenzie, Mercer, Horton, Parsons

Noes: None

Motion passed 7/0.

5D. Donation Policy Recommendations – Presentation by the Interim Parks & Recreation Director

Interim Parks & Recreation Director Bridges summarized the staff report, noting that this topic had been referred to the Parks & Rec Commission for developing policies, recommendations and guidelines, and asked for comments and questions from the Commission.

Responding to C Mayer as to a policy defining what kinds of art will be accepted, P&R Director Bridges referred to Item B. of the proposed policy, noting that major pieces would require review by the P&R and Planning Commissions.

C Wozniak stated that she would like to see land donation added to guidelines.

C McKenzie asked about endowments and estate gifts and suggested that they be proactive – reach out there and let people know that any gift of any a kind would be appreciated, adding that they could identify a few projects that are available, such as an entrance fountain at the corner of Old County Road and Ralston Avenue.

P&R Director Bridges stated that any ideas should be sent to P&R prior to publication of a catalog. The catalog will be distributed to whoever asks for it and would likely be placed on the web and at City Hall counters, as well as mentioned in the Activity Guide that it is available.

C Mercer suggested that a project be earmarked that could be contributed to at all times, preferably with a specific date for completion. P&R Director Bridges thought that would be possible, that it could be used for secondary but limited purposes such as a park or something similar.

Chair Parsons stated the need to clarify the role of P&R and Planning Commissions in placement and review of donations because sometimes they may not be what the Planning Commission had in mind. He felt that the review process should be clarified, especially for major pieces of art. CDD de Melo stated that the Planning Commission should have authority over activities that transpire within certain pieces of property. If there is a substantial change to an existing public facility, staff would recommend that this kind of action go before the Planning Commission prior to council adoption of any amended plan. He added that any project that has had previous Commission oversight should receive further Commission review. Chair Parsons reiterated that the role of the Planning Commission needs to be clear.

C Frautschi commented as follows:

- The catalog should be called “Belmont Donation Catalog,” not a “wish list”.
- Page 2, Item IV.A., Memorials, the “may be established” should be stronger.
- Page 3, Item VII.A., Reversions, Relocation and Replacements, a lawyer should look at the term “under any circumstances” for possible exceptions.
- Suggested establishment of a Parks & Rec. Foundation in order to funnel potential large donations into a permanent fund for establishing and maintaining the parks.
- On the sample wish list, the word “flowers” is limiting. Suggested “plant materials” instead.
- Any time the word “Director” is used, it should specify which director.
- The introduction is unclear and needs editing. He gave his edited version to P&R Director Bridges for reference use before presentation to Council.

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 1519 Ridge Road

To consider a Single Family Design Review to construct a 3,405 square foot single-family residence that is below the zoning district permitted 3,500 square feet for the site.

(Appl. No. 2006-0008)

APN: 044-131-010; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicant: Abha Nehru

Owner: Andy and Rosa Singh

ZT Gill summarized the staff report, recommending approval with conditions as attached.

Applicant Abha Nehru discussed the massing of the project and described how they tried to reduce the impact and the extent of the two-story walls, noting that the family did not want the garage door facing the front on Ridge Road. He answered questions from the Commission regarding access, grading and sewers.

MOTION: By C Frautschi, seconded by C Mayer, to close the public hearing. Motion passed.

C Frautschi felt that this was not a good design and commented as follows: the building looks like the old barracks on the Presidio; did not like the color; the gallery situation in front of the library; he had a problem with the design in relation to the lot; nothing in the neighborhood looks like it, could not imagine why they would put the kitchen and dining room on opposite sides of the entrance way; felt that the entrance into the guest quarters is convoluted and contrived; and the garage is almost an entire lot away from the kitchen; the building is not taking advantage of the views since the two rooms that have the best views are the guest bathrooms and walk-in closet. He could not find for Finding A because it does not fit in the neighborhood or for Finding B because of the building bulk. He liked the Landscape Plan but felt that it did not tie in with the building and is not reducing the bulk of the building. He asked if they will be replacing the sidewalk in front and suggested that the retaining wall in the backyard could be curved in order to pull the house into the landscape. He would recommend continuation for further design.

C Mayer asked staff what if the public view should be considered with the new house. CDD de Melo responded that because the old structure has been taken down it is new and treated like it is the very first time a building is being constructed on the lot. C Mayer felt that the layout was awkward but was not bothered by the bulk or the design. The color could be toned down and the landscaping was ok.

VC Horton felt that it was an odd interior layout, but that the neighborhood has quite a variety of houses so there is not one prevailing style and that it will probably change going forward. She thought the house could be stepped down the hill more, did not block a lot of view, and that the interior layout is totally missing the fabulous views, and that the color is inappropriate. She was not totally opposed to the design but that it reflects institutional. Landscape plan is fine.

C Mercer liked the Mediterranean Revival style and felt that it is not inconsistent with Belmont, noting however that the Ralston Manor and Art Manor are on flat lots. This is completely inappropriate for ridge line and missed all of the assets that this lot has to offer – the view and the slope. Found that the blocking nature of the house increases the institutional look. She could not make Finding A because of the destruction of the public view, the house could be scaled back so that a portion of it was lower, two-story portion could be further back on the lot. She could not make Finding B because of the bulk. The actual living space comes within zoning, but the way the house is designed, within the footprint of the house are an additional 725 sq. ft. of enclosed portico type living area are part of the house and bring the square footage up to 3500 sq.ft., making it look bulky. She liked that the hardscape was not increased and would like to see more landscaping around the foundation. With respect to color, she stated that Mediterranean Revival is always more of an earth tone, the color is too much contrast, too bright for such a large square. She felt that there is no particular neighborhood character.

C McKenzie felt that the color is too bright and that softening would the color would soften the bulk. He liked the Mediterranean design and felt that it fit in the environment. Suggested that other changes could be made to reduce the massiveness of the house, such as roof pitch and 2nd floor ceiling height. He did not see much in the way of views from the site due to the large trees and felt that the applicant

had done a number of things to make the house better fit the lot – they’ve set it back more than necessary from Ridge Road, some design elements accomplishes breaking up the exterior design. He felt that addition of trellis and climbing vines would further soften the overall look. He could find nothing wrong with the landscape design and could approve the project

C Wozniak felt that there is an existing view that would be blocked somewhat by any house, and felt that it is a pity that the house does not take advantage of the view. She could not make Findings A or B, they need to further minimize the disruption of the public view and reduce the bulk. She did not mind the design but felt that the bulk and mass of the house does not fit with the adjacent houses. She felt that the guest room looks like it could become a second unit and suggested eliminating some porches and move the interior of the house around to reduce the bulk.

Chair Parsons stated that there is a view, especially now that there is no house there, and that it is unfortunate that the design does not take advantage of the view. He felt that the deep porches are going to make a lot of shade and make the rooms dark, the height of the floors contribute to the bulk and the balcony on the north side will eventually contribute to maintenance headaches. He could not make Findings A and B because of the view and bulk and suggested that they reconsider some of the design elements, give consideration of the placement of the garage relative to the kitchen, better step down the hillside, move away from the neighbors somewhat and put in more detail on the front.

CDD de Melo summarized the Commission’s comments as follows: Exterior color too bright, floor plan changes relative to how the garage syncs with the rest of the house, stepping down the home to better take advantage of the lot conditions, reduce the ceiling plate height to contribute to the reduction of bulk and improvement of the public view, how the home is perched on the lot, address Findings A and B, more plantings along the foundation, addition of trellis and climbing vines, concerns about covered porches primarily related to bulk and public view and loss of light. He added that there are three conditions of approval that have been brought forth by the Public Works Department relative to the sidewalk and he will discuss repair or replacement with them.

MOTION: By VC Horton, seconded by C Mercer, to continue the Single Family Design Review for 1519 Ridge Road to a date uncertain (Appl. No. 2006-0008)

Ayes: Horton, Mercer, Frautschi, Mayer, McKenzie Wozniak, Parsons

Noes: None

Motion passed 7/0

6B. PUBLIC HEARING - 2852 San Juan Boulevard

To consider a Single Family Design Review to construct a 1,837 square foot addition to an existing 1,094 square foot single family residence resulting in a total of 2,931 square feet that is below the zoning district permitted 3,500 square feet for this site. (Appl. No. 2006-0011)

APN: 043-311-380; Zoned: R-1B (Single Family Residential)

CONTINUED FROM MAY 16, 2006 MEETING

CEQA Status: Recommended Categorical Exemption per Section 15301, Class 1

APPLICANT/OWNER: Akbar Shakernia

CDD de Melo summarized the staff report, recommending approval with the conditions as attached.

Referring to page 2 of the Resolution, C Frautschi asked for clarification of the Arborist's recommendation that a tree removal fee be collected up front for removal of the redwood tree. CDD de Melo responded that the Arborist has concerns about the long-term health of the tree but staff was uncomfortable collecting \$3,000 up front since the tree is not proposed to be removed as part of this project. They could change the Resolution to add language that should there be a significant decline in this tree at the conclusion of construction, the City could collect the fee at that time.

Brad Dick, home designer, and Stephanie O'Rourke, landscape designer, were available to answer questions.

Samples of the stone were made available to the Commission. Mr. Dick confirmed that it will be grouted.

C Frautschi suggested that an easy way to gain space around the redwood tree would be to shift the garage 3-1/2 feet without losing a kitchen window. They would lose one column in the front but possibly gain a window in the dining room. It could make the difference in saving the tree. Mr. Dick agreed to take this suggestion into consideration. His concern would be with the windows upstairs and the ridgeline.

Manish Patel, neighborhood resident, had the opportunity to review plans during neighborhood outreach and had expressed his concern at that time that there would be a window on the 2nd floor adjacent to his house and asked if any mitigation measures would be taken to address his privacy issues. Mr. Dick commented that it is an egress window and there has to be a window in that bedroom.

MOTION: By C Frautschi, seconded by VC Horton, to close the public hearing. Motion passed.

C Wozniak and C McKenzie were pleased with the changes made as a result of the last meeting and could approve the project with the modification recommended by C Frautschi.

C Mercer also liked the design but was not willing to risk the tree, and suggested that in addition to moving the garage to the left they could possibly sweep the driveway somewhat to gain another 2 feet. She also was concerned about the deck that extends beyond the covered indoor/outdoor room and suggested that it needed landscaping under the deck. Stephanie O'Rourke said she would be happy to add some shade-loving plants in that area.

Chair Parsons thanked the applicant for making the changes and could support the project with the modifications already suggested.

Regarding the issue of the neighbor's privacy, CDD de Melo recommended that the neighbors work with each other to address these kinds of issues but as part of the Findings the Commission cannot regulate privacy impacts in relation to single family design review. Trees or a different kind of glass were mentioned as possible solutions.

MOTION: By C Frautschi, seconded by C McKenzie, to adopt a Resolution approving a

Single-Family Design Review for 2852 San Juan Boulevard (Appl. No. 2006-0011)

with the Conditions of Project Approval and the additional conditions that the garage be moved so that it is adjacent to the trim of the corner window in the kitchen, landscaping be added under the deck, and sweeping of the driveway if at all possible. Staff should make the determination that these conditions have been, met with no need to bring the item back to the Commission.

Ayes: Frautschi, McKenzie, Mercer, Wozniak, Horton, Parsons

Noes: None

Abstain: Mayer

Motion Passed: 6/0/1

Chair Parsons stated that this item may be appealed to City Council within 10 calendar days.

7. STUDY SESSION

7A – Study Session - 600 Clipper Drive

To consider Conditional Use Permit and Design Review applications to reestablish a range of permitted uses, including multi-tenancy corporate and commercial offices, and medical offices with ancillary laboratory and/or outpatient services and research and development, within an existing 157,499 square-foot commercial office building. The proposal includes modifications to the existing parking lot and loading/drop off area as well as a new signage program. (Appl. No. 2006-0019)

APN: 040-360-470; Zoned: PD (Planned Development)

CEQA Status: Recommended Categorical Exemption per Section 15301

OWNER: Broadreach Capital Partners, LLC.

APPLICANT: John Osmond

AP Walker summarized the staff report, requesting feedback for staff and the applicant.

Applicant John Osmond, representing Broadreach Capital Partners, LLC, owners of the property, was available to answer questions. He stated that they have been marketing heavily for 3-4 months but as yet do not have anyone in terms of a potential lease.

C Frautschi stated that his only issue has to do with the lighting. The lights are very visible from the freeway and shining more lights on the sensitive marsh area needs to be considered. Mr. Osmond stated that they are willing to take the lights out of the application altogether.

C Frautschi added that there are a few trees that are borderline and probably should be replaced. Mr. Osmond responded that a lot of trees have been removed or died, and they want to remediate that. CDD de Melo agreed to provide the applicant with a list of trees that are recommended for the saline conditions that are found at this site.

C Mayer said it would be nice to have some larger trees for shade. Mr. Osmond responded that larger trees present maintenance issues and people do not like the droppings on their cars.

VC Horton also expressed concern about the lighting, considering that there are residences nearby.

C Mercer commented that this property is part of the Redevelopment Agency area and asked if there had been any action from the Redevelopment Agency (RDA) that they need to be aware of. CDD de Melo responded that previous owners were looking to market it for difference uses and the RDA reviewed the project in a preliminary design review for possible uses and soundly dismissed the proposal, concluding that the existing use needed to be maintained. There have been no subsequent actions by the RDA in regard to reestablishing the Conditional Use Permit (CUP) for the Detailed Development Plan and the design review as part of this action.

Discussion ensued regarding the adjacent property on the south side adjacent to the Sports Complex – lots 28 and 29 owned by Oracle. Chair Parsons suggested that the current use for storage needs to be reviewed. CDD de Melo will calendar this topic for review at a later date.

C Mercer questioned that, since there is excess office capacity in Belmont and Belmont is always fighting a housing shortage, is there any thought that the RDA will come back and say that they want more housing. CDD de Melo said that it is safe to say that if there is going to be additional housing in Belmont it will be in other locations, not on this particular parcel.

C Wozniak asked if the City's parking requirements have been reduced. CDD de Melo responded that they are meeting the standards normally required for a commercial office building, but when they create a Planned Development Zone they create their own zoning district.

Chair Parsons commented that he is delighted that someone has come in to reestablish the CUP and hoped that this can be approved quickly. He summarized that the consensus was that the Commission would approve the project with modifications to the lighting plan and a more detailed landscape plan in terms of the entrance.

8. VERBAL UPDATES

8A. Chuck's Donuts – 641 Ralston Avenue

CDD de Melo had obtained information from the City Attorney's office and they are working with the arborist's relative to the trees that have been cut down. They will be moving forward relative to the City Attorney's action.

8B. Wendy's – 698 Ralston Avenue

CDD de Melo stated that in terms of the landscape plans and incomplete plantings, staff is in discussion with the property owner in order to get additional plantings in there.

8C. Avanti Pizza Commercial Center – 2040 Ralston Avenue

Same comment as item 8B above.

CDD de Melo apologized for not getting the Motel 6 concerns on the agenda. Staff will be pulling the files on that CUP to construct the extended stay portion of the site, and will bring it back to the Commission as an agenda item. Chair Parsons commented that he had talked to the Police Chief and learned that it is the establishment is one of the busiest establishments in town as far as police calls are concerned.

CDD de Melo noted that the plan for transforming El Camino Real plan got to the RDA the previous week and was well received. They incorporated suggestions for the top three areas and he is in the process of preparing the application for the Transportation for Livable Communities grant administered by the Metropolitan Transportation Commission.

CDD de Melo reported that at their 6/13/2006 meeting the Council modified the decision of the Commission relative to McDonald's application. The 24-hour use will not be occurring but it will be allowed to open at 5:30 a.m. for the drive-through and the restaurant. He will bring the revised resolution and conditions of approval to the next meeting.

Chair Parsons called attention to the bus stop at the corner of Chuck's Donuts property that needs cleaning up. He suggested that SamTrans be contacted and asked to clean up their bus stops around town.

Chair Parsons commented that the shrub at the corner of the driveway exiting City Hall property at 6th Avenue, near the mailboxes, is too high, requiring drivers to pull out past the shrub to see if it's clear of cars and pedestrians.

C Wozniak called attention to the problem that there are always semi's parked on the other side of El Camino from McDonald's. CA Zafferano said the Police Chief is looking into it, considering if they could enforce the City's ordinance regarding tall vehicles on El Camino.

C Wozniak asked about the trees in front of Chuck's donuts. CDD de Melo responded that the arborist has determined what the trees were and their assessed value and is working with the City Attorney's office in relation to new trees on the lot

C McKenzie stated that he was at the Council meeting when McDonald's was discussed and was surprised to learn that McDonald's had been operating the 24-hour drive-through without a permit for some time. He felt that it would have been an important piece of information for the Commission to have known that they were out of compliance.

C Frautschi reported that there is a liquid amber tree in Wendy's parking lot by the drive-through that has died. Also a dead Chinese Pistache by the Safeway that needs replacing and a pear tree in the parking lot near Peet's has blight.

Chair Parsons stated that some of the grates in the Safeway parking lot need to be popped to allow the trees to grow.

C Frautschi had distributed his memo regarding recommendations for possible changes and modifications to the code relative to Belmont Zoning Ordinance. He was asked to mention the first item in the memo by Council – they want some sort of study session and some sort of motion on these items.

PLANNING COMMISSION LIAISON TO CITY COUNCIL

MEETING OF TUESDAY, JUNE 27, 2006.

Liaison: Commissioner Frautschi

Alternate Liaison: Commissioner Mayer

9. ADJOURNMENT:

The meeting was adjourned at 9:48 p.m. to a regular meeting on WEDNESDAY, July 5, 2006, at 7:00 pm at Belmont City Hall.

